

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

DONALD MORRISON, et al.,

Plaintiffs,

v.

Case No. 23-cv-00120

Hon. Paul L. Maloney

GOGEBIC COUNTY, et al.,

Defendants.

**DEFENDANTS BERRIEN COUNTY, SHELLY VANDECAR AND BRET
WITKOWSKI'S CONCURRENCE WITH CO-DEFENDANTS' MOTION SEEKING
DISMISSAL UNDER FED. R. CIV. P. 12(b) AND (6) (ECF No. 50)**

Defendants Berrien County, Bret Witkowski and Shelly VandeCar (collectively the “Berrien Defendants”), by their counsel, Charles A. Lawler of Clark Hill PLC, hereby join and concur with the Co-Defendants’ Motion Seeking Dismissal Under Fed. R. Civ. P. 12(b) and (6) (ECF No. 50) and adopt it as the Berrien Defendants’ Motion Seeking Dismissal Under Fed. R. Civ. P. 12(b) and (6)” (ECF No. 50). For the reasons stated in the Defendants’ Motion the Plaintiffs’ Complaint should be dismissed.

Respectfully submitted,

CLARK HILL PLC

Dated: June 10, 2024

/s/ Charles A. Lawler

Charles A. Lawler (P65164)

Magy E. Shenouda (P85576)

Miranda Marie Boulahanis (P86222)

215 South Washington Square

Suite 200

Lansing, MI 48933

(517) 318-3100

clawler@clarkhill.com

mshenouda@clarkhill.com

mboulahanis@clarkhill.com

*Attorneys for Berrien County Defendants and
Brian Wensauer*

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

CLARK HILL PLC

Dated: June 10, 2024

/s/ Charles A. Lawler
Charles A. Lawler (P65164)
215 South Washington Square
Suite 200
Lansing, MI 48933
(517) 318-3100
clawler@clarkhill.com

*Attorneys for Berrien County Defendants and
Bria Wensauer*